

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police – Petition of Sri N. Krishna, HC 909/1008 of Nizamabad District, against the against departmental proceedings – Further action dropped - Orders – Issued.

HOME (SER-II) DEPARTMENT

G.O.Rt.No. 1387

dated:11-08-2010
Read the following:

1. Petition of Sri N. Krishna, HC 909/1008 of Nizamabad District, dated: 14-7-08
2. Govt. Memo.No.27223/Ser-II/A3/2008, dated: 16-9-2008.
3. From the DGP, AP, Hyderabad, Lr.Rc.No.1619/App.1/08, dated: 21-3-2010

ORDER:

In the letter 3rd read above, the Director General of Police, has reported that Sri N. Krishna AR HC 909/1008 was arrested and remanded to judicial custody in connection with the case in Cr.No.278/93, U/s. 498(A), 494 IPC r/w 114 IPC on the complaint of his 1st wife and investigation was taken up. Hence Sri N. Krishna was placed under suspension on dated: 8-7-1994 and an article of charge was issued against the said delinquent calling his defense explanation vide charge memo dated: 9-8-1994. After receiving his explanation, the SDPO, Nizamabad was appointed as Enquiry officer. Before completion of the Inquiry, the applicant was convicted in the above said criminal case by the Hon'ble Addl. District Munsif Magistrate, Nizamabad on 12-9-1997. Therefore, the applicant was dismissed from service, vide D.O.No.1962/97 (No.84/PR/94), dated: 27-11-1997. However, the applicant was reinstated into service by the DGP, AP, Hyderabad, in revision, as the conviction was set aside by a upper court, however, with a direction for completion of the pending departmental enquiry. The departmental action against N. Krishna for bigamous marriage and for violating rule No. 25 of APCS (Conduct) Rules 1964 is being continued after acquittal of criminal case. The Hon'ble APAT, Hyderabad in O.A.No. 8009/2005, dated: 2-8-2006 have also issued directions to resume the enquiry duly examining the witnesses including those who were examined earlier, if the applicant makes such request in this regard and complete the enquiry in accordance of criminal case. Aggrieved with the orders of the Hon'ble APAT, Hyderabad, Sri N.Krishna AR HC 909/1008 has filed writ petition No.20369/2006 dated: 20-9-2006 in the Hon'ble AP High court and the Hon'ble High Court passed orders dated: 28-9-2006 granting interim suspension of the inquiry. The SP, Nizamabad District has filed counter in the Hon'ble High Court Hyderabad with a request to vacate the interim orders and dismiss the writ petition, and the same is pending in the High Court. Hence the OE file is pending with SDPO, Nizamabad.

2. Further Sri N. Krishna, HC 909/1008 of Nizamabad District, in the reference 1st cited, has requested the Government to drop departmental proceedings pending against him and to settle his suspension and out of employment period. Further the APAT in OA.No. 9964/2008 has directed the respondents to pass appropriate orders on the settlement of suspension and out of employment period of the applicant as per Rules.

3. Government, after careful examination of the matter, hereby drop departmental inquiry against Sri N. Krishna, HC 909/1008 of Nizamabad District, for the charges of bigamous marriage and for violating rule No. 25 of APCS (Conduct) rules 1964, by taking lenient view. However, the period of suspension and dismissal of the applicant shall be treated as not on duty.

4. The Director General of Police, Andhra Pradesh, Hyderabad is requested to take necessary action accordingly in the matter. The records received in the reference 3rd read above are returned herewith, the receipt of which should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, AP, Hyderabad (with records)
The individual through DGP, AP, Hyderabad,
Sc/Sf

// Forwarded :: By order//

SECTION OFFICER